

### **REMARKS**

Claims 1-18 are now pending in the application. Claims 1-4 are withdrawn. Claim 13 is herein canceled. Claim 18 is herein added. Claims 14-17 are herein amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 15 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicants initially note Claim 13 from which Claim 15 previously depended is herein canceled. Claim 15 has been amended to depend from new Claim 18.

The Examiner noted that the limitation of Claim 15 “operably connects the support section and the stud engagement portion, which is contradictory with the limitation in Claim 13”, that “the stud engagement portion is connected to the support portion only by the connection portion and the connection piece”.

Claim 15 has been amended to recite in part:

“the stud engagement member further comprises a pair of protrusions each freely positioned within one of a pair of apertures in the support member, the apertures operably allowing limited motion of the stud engagement member.”

Applicants respectfully submit amended Claim 15 clarifies that the protrusions are freely positioned within apertures in the support member, and therefore do not connect the stud engagement member to the support member in contradiction to new

Claim 18. Support for this amendment is found in the specification paragraph [0026] and shown in figures 5 and 11. The Examiner is therefore respectfully requested to withdraw the 35 U.S.C. § 112, second paragraph rejection of Claim 15.

#### **REJECTION UNDER 35 U.S.C. § 102**

Claims 13 and 15-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Oi et al. (U.S. Pat. No. 6,206,330). This rejection is respectfully traversed.

It is initially noted Claim 13 is herein canceled rendering the 35 U.S.C. § 102(b) rejection of Claim 13 moot. Claims 15-17 are herein amended to depend from new Claim 18.

New Claim 18 recites in part:

“a connection portion completely surrounding the stud engagement member and operable to integrally join the stud engagement member to the support member adjacent to an inlet of the stud engagement member”,

“a wall of the stud engagement member positioned opposite from the inlet having a connection piece operable to integrally connect the wall to the support member”, and

“a connection region of the connection piece at least partially positioned in an aperture created in the panel engagement member”.

Oi et al. does not disclose a connection portion completely surrounding the stud

engagement member and operable to integrally join the stud engagement member to the support member adjacent to an inlet of the stud engagement member and a wall of the stud engagement member positioned opposite from the inlet having a connection piece operable to integrally connect the wall to the support member. Oi et al. also does not disclose a connection region of the connection piece at least partially positioned in an aperture created in the panel engagement member. Oi et al. therefore cannot anticipate Claim 18. Because Claims 15-17 each depend from Claim 18, Oi et al. cannot anticipate Claims 15, 16 or 17 for at least the same reasons as noted for Claim 18. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 102(b) rejection of Claims 15-17.

Oi et al. further cannot anticipate amended Claim 15 for at least the following additional reason. Oi et al. does not disclose a pair of protrusions each freely positioned within one of a pair of apertures in the support member, the apertures operably allowing limited motion of the stud engagement member.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Oi et al. (U.S. Pat. No. 6,206,330) in view of Nakanishi (U.S. Pat. No. 6,585,196). This rejection is respectfully traversed.

It is again initially noted that Claim 13 has been herein canceled. Claim 14 has been amended to depend from new Claim 18.

Oi et al. teaches connecting portions 9 joining a holding member 1 to a mounting

member 2. See column 4, lines 35-37. The connecting portions specifically join central lower edges of the base 2A of the mounting member 2 to central upper opening edges of a receiving portion 4 of holding member 1 so mounting member 2 protrudes from receiving portion 4. See column 4, lines 37-44. Oi et al. therefore teaches away from using both “a connection portion completely surrounding the stud engagement member and operable to integrally join the stud engagement member to the support member adjacent to an inlet of the stud engagement member” and “a wall of the stud engagement member positioned opposite from the inlet having a connection piece operable to integrally connect the wall to the support member” as recited in Claim 18.

Further, Oi et al. does not teach or suggest a male panel engagement member integrally connected to the base and facing oppositely from the first and second pipe holding members.

Still further, Oi et al. does not teach or suggest a connection region of the connection piece at least partially positioned in an aperture created in the panel engagement member.

Nakanishi teaches a quantity of four first thin connection pieces 27 connecting a rectangular inlet wall 16 of the stud engagement portion 10 to a rectangular inlet ring 22 of the support portion 14. See column 5, lines 57-64. Nakanishi further teaches a quantity of four second thin connection pieces 29 connecting a bottom wall 18 of the stud engagement portion 10 to a bottom ring 23 of the support portion 14. See column 5, line 64 to column 6, line 4. Nakanishi also teaches the quantity and thin geometry of the connection pieces, as well as their having a “C” shape, enhances acoustic attenuation. See column 6, lines 11-35. Nakanishi therefore teaches away from using

both “a connection portion completely surrounding the stud engagement member and operable to integrally join the stud engagement member to the support member adjacent to an inlet of the stud engagement member” and “a wall of the stud engagement member positioned opposite from the inlet having a connection piece operable to integrally connect the wall to the support member” as recited in Claim 18.

Nakanishi also does not teach or suggest a male panel engagement member integrally connected to the base and facing oppositely from the first and second pipe holding members.

Still further, Nakanishi does not teach or suggest a connection region of the connection piece at least partially positioned in an aperture created in the panel engagement member.

For at least the above reasons, the suggested modification of Oi et al. and Nakanishi does not render Claim 18 obvious. Because Claim 14 depends from Claim 18, the suggested modification of Oi et al. and Nakanishi therefore does not render Claim 14 obvious for at least the same reasons. The Examiner is respectfully requested to withdraw the 35 U.S.C. § 103(a) rejection of Claim 14.

#### **ALLOWABLE SUBJECT MATTER**

The Examiner states that claims 5-12 are allowed. Applicants wish to thank the Examiner for indication of the allowed subject matter.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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